



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON VICENZA
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IMEU-VIC-MWA

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MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: U.S. Army Garrison Vicenza Policy Memorandum 08-46 (Version 2), Family Advocacy Policy

1. References:

- a. AR 608-18, Family Advocacy Program, 30 October 2007.
- b. Memorandum, Headquarters, MEDCOM, MCHO-CL-H, 5 January 2006, Subject: Implementing Department of Defense (DoD) Expanded Definition of Domestic Violence (DV).
- c. Memorandum, Deputy Secretary of Defense, 22 January 2006, Subject: Restricted Reporting Policy for Incidents of Domestic Abuse.
- d. Memorandum, Command Policy Letter, IMEU-MWD-A, 21 August 2006, Subject: Family Advocacy Program

2. The men and women of the United States Army uphold the highest tradition of respect, honor, integrity, and personal courage. These are Army values, and our Soldiers live by them. These values, however, can be destroyed by family violence.

3. The commander's responsibility in preventing family violence is on that demands attentive leadership. As leaders, commanders have direct and day-to-day contact with their Soldiers and their Soldiers' Families. Sensitive leaders recognize when their Soldiers show signs of anxiety or tension that could lead to physical, emotional, or sexual abuse of Family members and intimate partners. Caring leaders also know how to spot signs that indicate that their Soldiers are being victimized.

4. To prevent family violence and to provide guidance for dealing with it when it occurs, the Army established the Family Advocacy Program (FAP). The FAP is a commander's program that provides guidance on how to prevent family violence and how to report, investigate, and intervene in Families for which abuse occurs when prevention fails. In directing the overall management of the FAP, the Army Community Service (ACS) FAP staff IAW AR 608-18:

- a. Teaches commanders how to prevent, identify, assess, and treat family violence by providing commanders, command sergeant majors, and first sergeants with a mandatory FAP

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briefing within 45 days of assumption of command or leadership position. FAP will also educate commanders about transitional compensation.

b. Provides each commander with a copy of the FAP Desk Guide. This guide provides clear and specific steps which leaders must take to prevent family violence. It also provides essential guidance on how to intervene when violence occurs.

c. Coordinates FAP services with medical facilities, law enforcement personnel, chaplains, staff judge advocates, and others.

d. Informs commanders and Soldiers of updated policy and procedures, including revised Department of Defense definitions of domestic violence (which includes intimate partners) and restricted and unrestricted reporting options now available to adult victims of domestic violence.

5. Commanders or other persons in a leadership position can refer Soldiers who are at-risk for child or spouse abuse to FAP for educational and prevention services to include parenting, stress or anger management, or couple enrichment programs. To assist all parents during pregnancy until the child reaches the age of three years old, the Army developed a primary prevention program under the New Parent Support Program (NPSP).

6. NPSP offers parent education services. These services include educational programs, home visits, information, and referrals to other programs. NPSP also provide more intensive services for families at higher risk for child abuse or have been referred to the Case Review Committee for family violence. Periodic assessments, intensive parent monitoring and long-term home visitation are some of the services provided by NPSP.

7. It is imperative that Commanders encourage and allow fathers, step-fathers, or intimate partners who fall into NPSP's target population to participate in their services to help promote healthy parenting skills and prevent child abuse and neglect especially during this time of rapid deployments. Participation by fathers in NPSP can help them understand their child's development and readjust to the role of being a father after periods of separation.

8. The reporting requirement of AR 608-18 encourages every Soldier, employee, and member of the military community to report information concerning known or suspected cases of child and spouse abuse. It also requires commanders, law enforcement personnel, medical treatment personnel, and Child & Youth Services personnel to report known and suspected abuse subject to the provisions of the above references.

9. Commanders must immediately report known and suspected child and spouse abuse to the 24-hour Reporting Point of Contact (RPOC), which is the Military Police at DSN 634-7233 (SAFE). During the investigative phase, victim safety is critical. Separating the individuals involved for a 72-hour "cooling off" period can help prevent further violence. Commanders play

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an active role in the treatment process by communicating with the FAP multidisciplinary team (i.e. Case Review Committee / CRC) and ensuring that Soldiers are given time to attend services such as individual and group counseling, classes, or other services outlined in the FAP treatment plan. Completion of services for victims is critical to helping them recover from violence and getting offenders to solve problems that led to them committing acts of violence.

10. Commanders must be aware that family violence is not just a violation of Army Regulation, it is also a violation of the Uniform Military Code of Justice and Federal Law. If a Soldier is charged with a misdemeanor or felony, commanders are authorized to take disciplinary or administrative action. All commanders are urged to coordinate with legal experts and consider the multidisciplinary team's determination and service recommendation, especially when violence is recurrent. Commanders should consider the Soldier's service record, retention potential, and compliance with command-directed treatment or administrative restrictions.

Commanders should also ensure that Families receive transitional compensation information or entitlements and financial benefits if a Soldier is separated from active duty through a court martial or administrative action that resulted from dependent-related abuse.

11. It is the policy of this command that all alleged victims and offenders are accorded their rights under law and applicable regulations.

a. The rights of victims IAW DoDI 1030.2 and AR 27-10, paragraph 18-10 are:

- (1) The right to be treated with fairness, dignity, and a respect for privacy.
- (2) The right to be reasonably protected from the accused offender.
- (3) The right to be notified of court proceedings.
- (4) The right to be present at all public court proceedings related to the offense, unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial, or for other good cause.
- (5) The right to confer with the attorney for the Government in the case.
- (6) The right to restitution, if appropriate.
- (7) The right to information regarding conviction, sentencing, imprisonment, and release of the offender from custody.

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b. Additionally, the accused has the right to fully present their side of the case in the presence, except in rare circumstances, of the imposing commander or at court-martial; call witnesses; present evidence; request the service member be accompanied by a spokesperson or attorney; request an open hearing; and examine available evidence.

c. The Staff Judge Advocate, DSN 634-7717 can provide further assistance regarding Rights of Alleged Victims and Offenders.

12. Family violence is unacceptable, incompatible with the Army Core Values, and will not be tolerated in the Army. As commanders, you can make a positive difference by helping Soldiers and Families who have suffered family violence. By establishing trust, offering support, encouraging non-violence, and providing solutions to problems, commanders can prevent a family situation from escalating to a crisis or resulting in violence. Commanders must remember these guidelines for preventing family violence: immediately report suspected or known child or spouse abuse to the RPOC, openly discuss prevention strategies, listen carefully to Soldiers to build trust, teach Soldiers to take responsibility for their actions, set the example, and emphasize that family violence will not be tolerated.

13. Questions regarding this policy should be addressed to the Installation Family Advocacy Program Manager, Army Community Service/Directorate of Morale, Welfare, and Recreation, DSN 634-7500.

14. This policy memorandum supersedes U.S. Army Garrison Vicenza Policy Memorandum 08-46, Family Advocacy Policy dated 25 Feb 09.


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COL, MI
Commanding

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